Applicant : Kenneth Salwitz, et al.
Serial No. : 10/678,746
Filed : October 2, 2003
Page : 8 of 11

Attorney's Docket No.: 13910-012001
Client Ref.No.: 2003P00027 US01

<u>REMARKS</u>

Claims 1 to 6, 8 to 10, 19 to 24, and 26 to 28 are pending in this application, of which

claims 1 and 19 are the independent claims.[1] Favorable reconsideration and further examination

are respectfully requested.

In the Office Action, claims 1 to 3 and 19 to 21 were rejected under §102(e) over U.S.

Patent No. 5,381,332 (Wood). The remaining (dependent) claims were rejected over Wood in

view of the MSP 1998 reference. As shown above, the claims have been amended.

Independent claim 1 recites

> 1. A method performed on a processing device, comprising:
> storing, via the processing device, a simulation version of a project baseline, the simulation version comprising first objects that define elements of the project baseline;
> copying, via the processing device, the simulation version to create an operative version of the project baseline;
> augmenting, via the processing device, the simulation version by associating second objects with the first objects, the first objects being separate from the second objects, and the first objects not changing when the simulation version is augmented thereby maintaining an original version of the project baseline despite subsequent baseline changes;
> <u>changing, via the processing device, the operative version by combining existing operative version data with changes to the simulation version from the second objects, the operative version comprising third objects that correspond to combinations of first and second objects;</u>
> wherein changes are effected to a portion of the project baseline in the operative version that succeeds a time at which the operative version is changed; and
> obtaining, via the processing device, an earned value for a project that corresponds to the updated project baseline, the earned value being obtained via the changed operative version.

The applied art is not understood to disclose or to suggest at least the underlined portions of

claim 1 above. In this regard, Wood describes different baseline versions of project, as indicated

on page 3 of the Office Action. The Office Action characterizes the different baselines as

follows:

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[1] The Examiner is urged to independently confirm this recitation of the pending claims.

Applicant : Kenneth Salwitz, et al.

Serial No. : 10/678,746

Filed : October 2, 2003

Page : 9 of 11

Attorney's Docket No.: 13910-012001

Client Ref.No.: 2003P00027 US01

In other words, Wood teaches augmenting a simulation version of a project baseline by associating sets of objects (via Wood's identification numbers in each of the baseline files), where a set of objects is maintained in an original version despite subsequent changes (Wood's original plan baseline file). Thus, Wood teaches the claimed limitation.[2]

Wood, however, does not describe combining existing operative version data and second objects to define a (new) operative version of the project baseline. Rather, in Wood, as explained in the Office Action, the different baseline versions are maintained via data records (which the Office Action has characterized as objects[3]). There is no indication, in Wood, however, that such data records are formed by combining existing operative version data in the first objects with second objects that include changes to a simulation version, and which second objects also augment the simulation version. To summarize, in claim 1, there is a simulation version comprised of first objects, changes to the simulation version in second objects that are associated with the first objects, and third objects that are formed by combining first objects and second objects. These are not all present in Wood.

In this regard, Wood does describe the existence of a "baseline revision file", which includes "one record for each approved change".[4] However, as we understand it, the records in the baseline revision file are not combined with anything to generate one of the baseline versions. Rather, as indicated in col. 24 of Wood, this file is generated when a user choses "to

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[2] Office Action, page 3

[3] See, Office Action, page 3: "Furthermore, each of the baseline files has 'objects' (i.e. data records) that are associated with one another."

[4] Wood, col. 24, lines 54 et seq.

Applicant : Kenneth Salwitz, et al.   Attorney's Docket No.: 13910-012001
Serial No. : 10/678,746   Client Ref.No.: 2003P00027 US01
Filed : October 2, 2003
Page : 10 of 11

create a file for transferring descriptive data to PMT 150[5]. Accordingly, this file is not understood to be used to create a performance baseline.

The MSP 1998 reference is likewise not understood to disclose or to suggest the foregoing features of claim 1. Accordingly, claim 1 is believed to be patentable over the applied art. Independent claim 19 is a machine-readable medium claim that roughly corresponds to claim 1, and is also believed to be patentable over the applied art.

Dependent claims are also believed to define patentable features. Each dependent claim partakes of the novelty of its corresponding independent claim and, as such, has not been discussed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, we respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

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[5] Col. 24, lines 41 to 44

Applicant : Kenneth Salwitz, et al.
Serial No. : 10/678,746
Filed : October 2, 2003
Page : 11 of 11

Attorney's Docket No.: 13910-012001
Client Ref.No.: 2003P00027 US01

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Please apply any required fees to deposit account 06-1050, referencing the attorney docket number shown above.

Respectfully submitted,

/Paul Pysher/

Monday, December 6, 2010

Date:_____

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